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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

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6 Denise Ramirez,

7 Plaintiff,

8 v.

9 Nevada Police Department,

10 Defendant.

Case No. 2:24-cv-01116-APG-DJA

Report and Recommendation

11 On July 11, 2024, the Court screened Plaintiff's complaint and dismissed it, giving
12 Plaintiff until August 12, 2024, to file an amended complaint. (ECF No. 4). In doing so, the
13 Court informed Plaintiff that "[f]ailure to comply with this order will result in the recommended
14 dismissal of this case." (*Id.*). To date, Plaintiff has not filed anything further in this action and
15 appears to have ceased prosecuting it. *See* Fed. R. Civ. P. 41(b).

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17 Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED** without
18 prejudice. The Clerk of Court is kindly directed to send this recommendation to Plaintiff.
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NOTICE

Pursuant to Local Rule IB 3-2 any objection to this Report and Recommendation must be in writing and filed with the Clerk of the Court within (14) days after service of this Notice. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985), *reh'g denied*, 474 U.S. 1111 (1986). The Ninth Circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

DATED: September 16, 2024



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE